

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ALEXANDER RHODES,	:	CIVIL DIVISION
	:	
Plaintiff,	:	
	:	Civil Action No.: 2:19-cv-01366
v.	:	
	:	
NICOLE PRAUSE and LIBEROS LLC,	:	
	:	
Defendants.	:	
	:	
	:	
	:	JURY TRIAL DEMANDED

SUGGESTION OF BANKRUPTCY AND NOTICE OF STAY

AND NOW COME THE DEFENDANT, Nicole Prause, Ph.D. (“Dr. Prause”) hereinafter referred to as “Debtor,” by and through her undersigned counsel, and files the within Suggestion of Bankruptcy and Notice of Stay, and, in support thereof, respectfully state as follows.

1. On August 18, 2020, Debtor filed her Voluntary Petition under Chapter 7 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Central District of California, Case No. 2:20-bk-17525-NB (hereinafter, the “Voluntary Petition”).

2. Pursuant to Section 362 of the Bankruptcy Code, the filing of the Petition operates as a stay of the following:

- a. The commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other proceeding against the Debtor that was or could have been commenced before the commencement of the case under this title, or to recover a claim against the Debtor that arose before the commencement of the case under this title;
- b. The enforcement, against the Debtor or against property of the estate, of a judgment obtained before the commencement of the case under this title;

- c. Any act to obtain possession of property of the estate or property from the estate;
- d. Any act to create, perfect, or enforce any lien against property of the estate;
- e. Any act to create, perfect, or enforce against property of the Debtor any lien to the extent that such lien secures a claim that arose before the commencement of the case under this Title, except to the extent provided in Section 362(b);
- f. Any act to collect assets, or recover a claim against the Debtor that arose before the commencement of the case under this title;
- g. The set off of any debt owing to the Debtor that arose before the commencement of the case under this Title against any claim against the Debtor; and
- h. The commencement or continuation of a proceeding before the United States Tax Court concerning the Debtor.

3. As a result of the operation of the automatic stay, all parties are stayed from any further continuation of these proceedings until such time as the Bankruptcy Court may order otherwise.

4. Attached hereto and incorporated herein for all purposes as Exhibit "A" is a copy of the proof of the bankruptcy filing, dated August 18, 2020, which further confirms the above stated facts.

5. This case should be stayed in its entirety, as to all defendants, as Liberos LLC is a single-member LLC with Dr. Prause as the only member.

WHEREFORE, Dr. Prause respectfully requests that this Court take notice of the Bankruptcy Stay and that all further action on this matter be stayed, and to grant such other and further relief in favor of Defendants to which they may be justly entitled.

Respectfully submitted,

CIPRIANI & WERNER, P.C.

BY: /s/ William B. Pentecost, Jr.
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Liberos LLC*

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that the foregoing Suggestion of Bankruptcy and Notice of Stay was served via the U.S. District Court's electronic noticing system on August 18, 2020, and via electronic mail postage pre-paid, on August 18, 2020, upon the following counsel of record:

Via Email: astebbins@minclaw.com

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(Counsel for Plaintiff)

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/s/ William B. Pentecost, Jr.
William B. Pentecost, Jr., Esq.
Counsel for Defendants